

EXHIBIT E

Deposition of Al Bradley

Part I

Transcript of the Testimony of
Al Bradley

Date: September 25, 2007

DANIEL B. KELLY
vs.
RICKY OWENS

Printed On: October 18, 2007

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<p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA SOUTHERN DIVISION</p> <p>DANIEL BRYAN KELLY,) vs. Plaintiff,) vs.) Civil Action No. RICKY OWENS, et al.,) 2:50-CV-01150-MHT Defendant.) DEPOSITION OF AL BRADLEY S T I P U L A T I O N S IT IS STIPULATED AND AGREED, by and between the parties through their respective counsel, that the deposition of AL BRADLEY may be</p>	<p>1 trial, or at the time said 2 deposition is offered in evidence, 3 or prior thereto. IT IS FURTHER STIPULATED AND 5 AGREED that notice of filing of the 6 deposition by the Commissioner is 7 waived.</p> <p>8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>
<p>1 taken before Sandra Peebles Daniel, 2 Commissioner, Notary Public, State 3 at Large, at the Coosa County 4 Courthouse, Courthouse, One Main 5 Street, Rockford, Alabama 35136, on 6 the 25th day of September, 2007, 7 beginning at approximately 10:40 am.</p> <p>8 IT IS FURTHER STIPULATED AND 9 AGREED that the reading of and 10 signature to the deposition by the 11 witness is waived, the deposition to 12 have the same force and effect as if 13 full compliance had been had with 14 all laws and rules of Court relating 15 to the taking of depositions.</p> <p>16 IT IS FURTHER STIPULATED AND 17 AGREED that it shall not be 18 necessary for any objections to be 19 made by counsel to any questions, 20 except as to form or leading 21 questions, and that counsel for the 22 parties may make objections and 23 assign grounds at the time of the</p>	<p>2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p> <p style="text-align: center;">I N D E X EXAMINATION BY: PAGE: 3 Mr. Stockham 8-175 4 Ms. McDonald 175-178</p> <p style="text-align: center;">E X H I B I T S 9 Exhibit 1 98 10 (Medication sheets) 11 Exhibit 2 111 12 (Tower logs) 13 Exhibit 3 133 14 (Time, attendance sheets) 15 Exhibit 4 133 16 (Inmate request forms)</p>

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1 APPEARANCES 2 3 BEFORE: 4 Sandra Peebles Daniel, 5 Commissioner, Notary Public 6 7 FOR THE PLAINTIFF: 8 Mr. Richard J. Stockham, III 9 STOCKHAM, CARROLL & SMITH, P.C. 10 2204 Lakeshore Drive 11 Suite 114 12 Birmingham, Alabama 35209 13 14 FOR THE DEFENDANT: 15 Ms. Kristi McDonald 16 McDONALD & McDONALD 17 1005 Montgomery Highway 18 Birmingham, Alabama 35216 19 20 Mr. Gary L. Willford 21 WEBB & ELEY 22 7475 Halcyon Pointe Drive 23 Montgomery, Alabama 36124	5 1 I, Sandra Peebles Daniel, a 2 Court Reporter of Birmingham, 3 Alabama, Notary Public, State at 4 Large, acting as Commissioner, 5 certify that on this date, as 6 provided by Rule 30 of the Alabama 7 Rules of Civil Procedure, and the 8 foregoing stipulation of counsel, 9 there came before me at the Coosa 10 County Courthouse, Courthouse, One 11 Main Street, Rockford, Alabama 12 35136, on the 25th day of September, 13 2007, at or about 10:40 am., AL 14 BRADLEY, witness in the above cause, 15 for oral examination, whereupon the 16 following proceedings were had: 17 18 THE COURT REPORTER: Usual 19 stipulations? 20 MR. WILLFORD: Yes. 21 22 AL BRADLEY, 23 having first been duly sworn, was
 1 ALSO PRESENT: 2 Terry Wilson 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 6 1 examined and testified as follows: 2 3 (Whereupon, an 4 off-the-record 5 discussion was held.) 6 7 EXAMINATION BY MR. STOCKHAM: 8 Q. What is your name, please, 9 sir? 10 A. Frank A. Bradley, Jr. I 11 go by mainly Al Bradley. 12 Q. And, Mr. Bradley, what 13 does the A stand for? 14 A. Alphonso, A-l-p-h-o-n-s-o. 15 Q. And can you tell me -- how 16 old are you? 17 A. I'm fifty-one. 18 Q. And your date of birth is? 19 A. 3-15 of 1956. 20 Q. Are you married? 21 A. No, sir, I'm divorced. 22 Q. From whom are you 23 divorced?

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	9		11
1 A. Susan Bradley Smith. 2 She's remarried.		1 A. And Trey is thirteen at 2 this time. No, twelve. He'll be 3 thirteen next week, week after.	
3 Q. And when were you 4 divorced?		4 Q. How old is Rhett? 5 A. Rhett is twenty-one.	
5 A. '93. No, '96, I believe 6 it was. We separated in '95. We 7 divorced in '96. That's correct.		6 Q. Have you been married any 7 other times? 8 A. No, sir.	
8 Q. How long were you married? 9 A. About eight years, I 10 think.		9 Q. And do you have any other 10 children? 11 A. No, sir.	
11 Q. Do you have any children? 12 A. Yes, sir, I have three, 13 three sons.		12 Q. Are you on any medications 13 today? 14 A. No, sir.	
14 Q. By Susan? 15 A. No, sir. I have two by 16 Susan and one by a previous 17 marriage.		15 Q. What is your home address? 16 A. Route 7, Box 153A, 17 Alexander City.	
18 Q. Who were you previously 19 married to?		18 Q. How long have you lived 19 there? 20 A. I've just built a new	
20 A. Suzanne Thomas Jackson is 21 her last name now. I have one son 22 by her.		21 house there. I just moved in, say, 22 July. They just finished the 23 house.	
23 Q. And when did you divorce 1 her? 2 A. In '86. 3 Q. You have one son by her. 4 What's his name? 5 A. Rhett Bradley, R-h-e-t-t. 6 Q. And where does he live? 7 A. Alexander City. 8 Q. And what does he do there? 9 A. He is a student and works 10 with a construction company. 11 Q. Which one? 12 A. Scroggins Construction in 13 Alex City. And he goes to the 14 junior college there in Alex City. 15 Q. You say you have two 16 children by Susan Bradley Smith? 17 A. Yes, sir. 18 Q. Who are they? 19 A. That's Charles Selman 20 Bradley, Frank A. Bradley, III. 21 Q. How old is Charles? 22 A. He just turned fifteen. 23 Q. And how --	10	1 Q. Where did you live before 2 that? 3 A. Right here in Rockford. 4 Q. How long were you -- what 5 was the address here in Rockford? 6 A. I had a post office 7 address. I used -- U.S. 231 North. 8 I lived about a half a mile or less 9 right up 231 here on the right, 10 right inside the city limits. But 11 I had a post office address here. 12 We didn't have a street number. 13 Seven years. 14 Q. Seven years. Okay. 15 Now, what is your 16 educational history? 17 A. I have two years of 18 college. 19 Q. Where did you get that? 20 A. At the Alexander City 21 Junior College. I have an 22 Associates degree in law 23 enforcement.	12

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<p>1 Q. When did you graduate?</p> <p>2 A. '81, I believe it was.</p> <p>3 Q. Now, give me your work</p> <p>4 history if you would, please, sir.</p> <p>5 A. I joined the Army from</p> <p>6 Alex City in the fall of 1974.</p> <p>7 Went to military police school,</p> <p>8 graduated, honor student. I went</p> <p>9 to investigation school in Fort</p> <p>10 Gordon, Georgia. Stayed in the</p> <p>11 Army for six years as an</p> <p>12 investigator. When I got out I</p> <p>13 went to work with the Alex City</p> <p>14 Police Department in 1980.</p> <p>15 Q. When you left the Army you</p> <p>16 left in 1980?</p> <p>17 A. Yes, sir.</p> <p>18 Q. What were your -- what was</p> <p>19 your rank?</p> <p>20 A. E5, sergeant.</p> <p>21 Q. What was the terms of your</p> <p>22 discharge?</p> <p>23 A. Honorable discharge.</p>	<p>13</p> <p>1 to redo it -- retake a test. And</p> <p>2 then I went to work with the</p> <p>3 troopers in '85.</p> <p>4 Q. State troopers in '85?</p> <p>5 A. Yes, sir.</p> <p>6 Q. And where were you</p> <p>7 stationed in the state --</p> <p>8 A. In Alex City. I worked</p> <p>9 Coosa and Tallapoosa County.</p> <p>10 Q. And how long were you with</p> <p>11 the state troopers?</p> <p>12 A. Until '91. I left the</p> <p>13 troopers to go in business for</p> <p>14 myself. I ran a construction</p> <p>15 company. I had bulldozers.</p> <p>16 Q. '85 to '91?</p> <p>17 A. Yes, sir. I believe it</p> <p>18 was '91.</p> <p>19 Q. Did you leave voluntarily</p> <p>20 or --</p> <p>21 A. Yes, sir.</p> <p>22 Q. -- were you terminated?</p> <p>23 A. No, sir. I left</p>
<p>14</p> <p>1 Q. Why did you get out at</p> <p>2 that time?</p> <p>3 A. I just wanted to come</p> <p>4 home. I'd spent a little over four</p> <p>5 years in Germany and I was just</p> <p>6 ready to come home.</p> <p>7 Q. And your first job out of</p> <p>8 the Army was with the Alex City</p> <p>9 Police Department?</p> <p>10 A. Alex City Police</p> <p>11 Department.</p> <p>12 Q. And what did you do there?</p> <p>13 A. I was a patrolman there.</p> <p>14 Q. And how long did you work</p> <p>15 for the Alex City Police</p> <p>16 Department?</p> <p>17 A. Till the end of '80 --</p> <p>18 somewhere around '84, I believe.</p> <p>19 Q. For four years. And --</p> <p>20 A. And the reason for leaving</p> <p>21 there, I was going -- I had applied</p> <p>22 with the state troopers and they</p> <p>23 had delayed the school some. I had</p>	<p>16</p> <p>1 voluntarily.</p> <p>2 Q. I didn't know if you were</p> <p>3 involved in any of those cutbacks</p> <p>4 at that time.</p> <p>5 A. No, sir.</p> <p>6 Q. Who was your supervisor in</p> <p>7 the troopers?</p> <p>8 A. My captain was Captain</p> <p>9 Chuck Franklin out of Montgomery.</p> <p>10 Q. And you say you went into</p> <p>11 business for yourself?</p> <p>12 A. Yes, sir. I had Bradley</p> <p>13 Clearing and Grading Company.</p> <p>14 Q. How long were you in that?</p> <p>15 A. Six years.</p> <p>16 Q. How many employees did you</p> <p>17 have?</p> <p>18 A. Just myself and some</p> <p>19 temporary employees. And I had one</p> <p>20 partner, one business partner.</p> <p>21 Q. Who was that?</p> <p>22 A. L.D. Benton, Jr. in Alex</p> <p>23 City.</p>

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<p>1 Q. And why did you cease 2 working in that company? 3 A. Why? I owned a bulldozer 4 on my -- I've had one for a long 5 time, even when I was a trooper, 6 and I did it part-time. But my 7 business got -- I was making more 8 money operating the -- my equipment 9 than I was being paid for the 10 State. So I decided I'd go work 11 for myself. 12 Q. How long did you work for 13 yourself? 14 A. Approximately six years. 15 Maybe just a little more. Then I 16 had arthritis and had to have two 17 hip replacements and I had to quit. 18 And that was in '98, '97, right in 19 there. Because I went to work with 20 the sheriff's department in June of 21 '98. 22 Q. Which sheriff's department 23 did you go work for?</p>	<p>17</p> <p>1 Q. Have you ever been 2 involved in any legal action? 3 A. No, sir. 4 Q. Ever been arrested? 5 A. No, sir. 6 Q. Now, in -- when did 7 Sheriff Owens come into the office 8 as sheriff? 9 A. January of '03. 10 Q. Did your duties change 11 when Sheriff Owens came in? 12 A. No, sir. I've been doing 13 just about the same thing. 14 Q. Who -- what is your 15 official rank? 16 A. Well, let's see. I really 17 don't -- I am a deputy. I've got 18 full arrest powers. I don't 19 actually have a rank. I do go by 20 Deputy Bradley or Al. I mean, 21 that's just -- I answer the phone 22 sometimes Al and answer it some -- 23 the phone as Deputy Bradley.</p>
<p>18</p> <p>1 A. Coosa County. 2 Q. And who did you work for 3 -- who hired you? 4 A. Sheriff William Evans. 5 Q. And have you worked 6 continuously with the sheriff's 7 department since that time? 8 A. Yes, sir. 9 Q. Going back to your -- and 10 what jobs have you held in the 11 sheriff's department? 12 A. I am an arresting officer 13 and I'm also a dispatcher and 14 jailer. 15 Q. Is that all at one time or 16 have you held those positions -- 17 A. All of those are at one -- 18 one entity, I guess you would say. 19 Q. Have you always been all 20 of those? 21 A. Yes, sir. 22 Q. Have you ever been sued? 23 A. No, sir.</p>	<p>20</p> <p>1 Q. You're wearing a shirt 2 today and it says, CPL A. Bradley. 3 A. Okay. This is an older 4 shirt. We used to have a rank 5 structure in the jail and we had -- 6 it -- well, standing as corporal as 7 a shift supervisor for the -- 8 whatever shift I worked. I was the 9 supervisor. But we don't use that 10 rank structure anymore and we're 11 waiting to get new shirts and this 12 was just -- the only shirt that 13 we're still allowed to wear. 14 Q. When did you do away with 15 the rank structure? 16 A. I don't really remember. 17 We had it when -- when Sheriff 18 Wilson was there we had the rank 19 structure. And I believe that 20 maybe we -- I think we still had it 21 when Sheriff Owens took over. And 22 then at some period of time they 23 decided we didn't need it anymore</p>

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<p>21</p> <p>1 because we got a jail administrator 2 full-time and then we got a 3 part-time administrator and then 4 assistant. So there was actually 5 three people on the shift where 6 they were considered as supervisors 7 and they didn't need an individual 8 shift supervisor.</p> <p>9 Q. Who was the jail 10 administrator?</p> <p>11 A. At which time?</p> <p>12 Q. When you said that --</p> <p>13 A. Okay.</p> <p>14 Q. Either when --</p> <p>15 A. Sheriff Wilson was one at 16 one time. And then Wendy Roberson, 17 I believe, was appointed 18 administrator at one time. The 19 dates and times I haven't kept up 20 with. Ken Whitehead, who is now 21 our chief deputy, he was placed at 22 one time over the jail to take care 23 of the deputy and the jail part</p>	<p>23</p> <p>1 my head, yes. 2 Q. Who was the assistant 3 administrator? 4 A. I believe Wendy Roberson 5 was there then -- 6 Q. And who was-- 7 A. -- during this time. 8 Q. Who was her assistant? 9 A. I'm not sure. That was 10 really -- that was sort of an on 11 and off thing. But at one time I 12 do remember Steve Hay being there. 13 And I'm not sure whether Adam 14 Peoples was or not. 15 Q. Now, when you were -- and 16 the time frame that I want to talk 17 about today is the time frame in 18 November of 2003 -- 19 A. Okay. 20 Q. -- through March or April 21 of 2004. 22 A. Okay. 23 Q. That six-month time frame.</p>
<p>22</p> <p>1 before the jail administrator that 2 we have now. He sort of did -- 3 wore two hats, you might say. So 4 he -- actually he was my supervisor 5 at one time also in the jail.</p> <p>6 Q. Now, you said there was an 7 assistant administrator. Who was 8 that?</p> <p>9 A. That's -- his name is 10 Lieutenant Stover at this time. In 11 the back -- past there was Wendy, 12 there was -- Steve Hay was sort of 13 her assistant. And, of course, 14 Sheriff Wilson. And I'm not sure 15 whether Adam Peoples -- when he was 16 in there or not. I can't remember. 17 But mainly Wendy and Sheriff Wilson 18 were my supervisors.</p> <p>19 Q. Now, in the fall of 2003 20 and spring of 2004 who was the jail 21 administrator?</p> <p>22 A. Sheriff Wilson, the best I 23 can remember right off the top of</p>	<p>24</p> <p>1 In that time frame was the jail 2 administrator the same person or 3 did it change? 4 A. I'm not really sure. I'd 5 have to go back and see because at 6 one time we really did not have a 7 jail administrator per se as a 8 slot. They were called jail 9 administrators because that was the 10 job that they were doing. Mainly 11 during that time it would have been 12 Wendy and Sheriff Wilson, the best 13 I can remember. 14 Q. Were they your 15 supervisors? 16 A. Yes. Immediate 17 supervisors. 18 Q. They had the authority to 19 tell you what to do and what not to 20 do? 21 A. Yes, sir. 22 Q. Now, at that time did you 23 work most of your hours in the</p>

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<p>1 jail?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Did you ever work patrol</p> <p>4 in that --</p> <p>5 A. No, sir. I don't work</p> <p>6 patrol because of my legs.</p> <p>7 Q. So in the time frame that</p> <p>8 we're talking about you worked</p> <p>9 exclusively in the jail?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And what were your duties</p> <p>12 in the jail in this time frame?</p> <p>13 A. Dispatcher. I also</p> <p>14 delivered the meals, some</p> <p>15 medications. I worked in the tower</p> <p>16 where you oversee all of the</p> <p>17 inmates. That's operating also the</p> <p>18 telephone, the radio. When we</p> <p>19 would have people come in that</p> <p>20 wanted to make a complaint I would</p> <p>21 take a report. I also had people</p> <p>22 that turned their selves in. I</p> <p>23 would arrest them. I did the</p>	<p>25</p> <p>1 correct?</p> <p>2 A. Yes, sir. We're -- we</p> <p>3 would work a Friday, Saturday and</p> <p>4 Sunday, be off Monday, Tuesday,</p> <p>5 work Wednesday and Thursday. Then</p> <p>6 the following weekend that you</p> <p>7 would be off would be Friday,</p> <p>8 Saturday and Sunday. So every</p> <p>9 other weekend we'd have three days</p> <p>10 off. Plus we'd have the two days</p> <p>11 in the week.</p> <p>12 Q. And how many people would</p> <p>13 be on a shift?</p> <p>14 A. Okay. Day shift normally</p> <p>15 we would just assign two people,</p> <p>16 one is dispatch and booking, one in</p> <p>17 the tower. And we would rotate</p> <p>18 when possible to swap out just to</p> <p>19 give somebody a break. We would</p> <p>20 have a supervisor sometimes on the</p> <p>21 floor. But, yet, there again, they</p> <p>22 were taking them -- either taking</p> <p>23 somebody to the doctor or having to</p>
<p>26</p> <p>1 arrest reports. I was also a</p> <p>2 booking officer. That's pretty</p> <p>3 much the day shift.</p> <p>4 Q. Now, there are two shifts;</p> <p>5 is that correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. A day shift and a night</p> <p>8 shift?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Did you ever work the</p> <p>11 night shift?</p> <p>12 A. No, sir.</p> <p>13 Q. Always worked the day</p> <p>14 shift?</p> <p>15 A. Always worked the day</p> <p>16 shift.</p> <p>17 Q. Now, the day shift is a</p> <p>18 twelve hour shift?</p> <p>19 A. Yes, sir. From six in the</p> <p>20 morning to six in the evening.</p> <p>21 Q. And looking at some of</p> <p>22 these documents it appears that you</p> <p>23 worked a rotating shift; is that</p>	<p>28</p> <p>1 go buy groceries. But mainly it</p> <p>2 was just two people per shift on</p> <p>3 the twelve hour shift.</p> <p>4 Q. And when you say, two</p> <p>5 people per shift, one person would</p> <p>6 be in something that you call the</p> <p>7 tower?</p> <p>8 A. Yes, sir.</p> <p>9 Q. What is the tower?</p> <p>10 A. The tower is an</p> <p>11 observation pod upstairs. It</p> <p>12 overlooks the day rooms where the</p> <p>13 inmates are housed. And that</p> <p>14 person stays there. They cannot</p> <p>15 leave.</p> <p>16 Q. When you say, overlooks,</p> <p>17 how do you mean?</p> <p>18 A. It's got windows all the</p> <p>19 way around the top where you can</p> <p>20 see down into the cell blocks, all</p> <p>21 the way around. You're sitting in</p> <p>22 the center hub and you can look all</p> <p>23 the way around. Plus you have a</p>

<p>1 radio and your computer dispatch 2 and the camera -- camera screen. 3 Q. Uh-huh. 4 A. For the TV cameras, 5 monitor. 6 Q. What TV cameras are you 7 talking about? 8 A. The ones that are located 9 in the jail. Throughout the whole 10 jails there's cameras -- I don't 11 know. There's twelve or fifteen of 12 them right off the top of my head. 13 I don't know exactly because we've 14 added some new ones. But we have 15 one big monitor screen up there 16 that has the little small screens. 17 Or you can blow them up and look at 18 them.</p> <p>19 Q. And I notice that there 20 is, on some of these, a note about 21 changing out the tapes. Is there a 22 twenty-four hour tape that loops?</p> <p>23 A. At that time there was a</p>	<p>29</p> <p>1 every night. I'm not sure. I 2 really don't -- I don't have a 3 clue.</p> <p>4 Q. What happened to the tapes 5 once they were changed out, do you 6 know?</p> <p>7 A. No, sir, I do not.</p> <p>8 Q. Now, when you were working 9 up in the tower what would you have 10 to do to get down to the level of 11 the jail where the inmates were?</p> <p>12 A. First of all, you would 13 have to have somebody come upstairs 14 and relieve you. You had to get 15 the other person that's downstairs 16 to come upstairs. And then from 17 that time you walk down a set of 18 steps and you were on the main 19 floor. And then they had to buzz 20 you out and unlock whatever -- 21 which way you're going. If you've 22 got to go into a cell block it's 23 got to be unlocked. If you're</p>
<p>1 tape machine up there. And those 2 tapes were changed out at night. 3 Day shift never fooled with them 4 and I couldn't tell you how it how 5 it operates. I just know that I 6 remember seeing the tapes there at 7 one time. But, now, how they 8 worked, I had no idea.</p> <p>9 Q. You've never reviewed any 10 of them?</p> <p>11 A. No, sir.</p> <p>12 Q. And do you know whether or 13 not the tapes were maintained for 14 any length of time?</p> <p>15 A. I do know that they were 16 there. That's all I know. I know. 17 Because they were numbered by the 18 day. And they were down in the 19 cabinet in the tower. And that's 20 how they were rotated out.</p> <p>21 Q. Every six days or seven 22 days?</p> <p>23 A. I think they were changed</p>	<p>30</p> <p>1 going out the main doors, all those 2 doors have to be unlocked.</p> <p>3 Q. Now, tell me about the 4 jail layout. When you come in the 5 front door is that where the office 6 or the administration area is?</p> <p>7 A. Yes, sir, to the left 8 side. Yes, sir, as soon as you 9 come in the front door the 10 sheriff's secretary and the 11 administration is on the left side.</p> <p>12 Q. Is that also where the 13 dispatching is?</p> <p>14 A. No, sir. The dispatching 15 is straight down the hall and it 16 would be just past the public rest 17 rooms to the right (demonstrating). 18 Just sits in sort of a little 19 diagonal room right there on the 20 right, just off the main hallway 21 coming straight in from the jail.</p> <p>22 Q. On that main hallway you 23 say that the administration is to</p>
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<p>1 the left and the -- there's a 2 public restroom? 3 A. Yes, sir. 4 Q. And then after that is -- 5 A. There is another window 6 right there where the dispatcher 7 sits. 8 Q. The dispatching area? 9 A. Yes, sir. 10 Q. And then what's next? 11 A. You go through a secured 12 door there. As soon as you go 13 through the secured door you make a 14 right-hand turn. That goes into 15 the booking area and dispatching 16 area. 17 Q. That same dispatching area 18 that you pass by in the -- 19 A. Yes, sir. 20 Q. Now, that dispatching area 21 that you're talking about, booking 22 area, is that the same as the 23 visitation area?</p>	<p>33</p> <p>1 Q. And then the last one is 2 the one that goes into -- 3 A. The last one is the one 4 that goes up to the tower. 5 Q. So there are four -- 6 A. Three. 7 Q. There are three. How do 8 you get into the jail? 9 A. Now, those -- cell block A 10 and B is on your left, C, D and E 11 (demonstrating). All those have 12 their own secured doors in the 13 hall. And they -- 14 Q. In that same hall? 15 A. Yes, sir. But they're all 16 secured also. 17 Q. So there are how many 18 secured doors on -- 19 A. Well, there's -- 20 Q. -- on that hall? 21 A. -- A, B, C, D and E is 22 five. The one in the control aisle 23 would be six. The one at -- before</p>
<p>1 A. No, sir. Visitation is 2 straight on down the hall, last 3 door on your right before you go 4 into another secured door, which is 5 the last secured door before you go 6 into the cell blocks areas. That's 7 right there on the right, is the 8 visitation area (demonstrating). 9 Q. And then you keep going 10 straight and you come to the -- 11 A. If you go past there about 12 -- just past the entrance to the 13 visitation room there is another 14 secured door there. 15 Q. And how many secured doors 16 are there going down that hall? 17 A. There's one up front at 18 dispatching. There's one there 19 just below visitation. Then 20 there's another secured door that's 21 on the main hall that goes up to 22 the tower. So there's three down 23 the center.</p>	<p>34</p> <p>1 you get into visitation would be 2 seven. So -- if I'm counting 3 correctly I believe that's correct. 4 Q. Seven total? 5 A. I believe that's correct. 6 Q. And who is responsible for 7 opening and closing those doors? 8 A. The person who is sitting 9 in the tower is the only person 10 that can open them. 11 Q. And the -- when you go in 12 those doors during the day shift is 13 there -- other than the people -- 14 the inmates is there anyone other 15 than the two of you who are in the 16 jail? 17 A. Well, you know, the jail 18 personnel or staff from up front. 19 The sheriff may have a reason to go 20 back there. Or whoever is working 21 may have a reason to go back there. 22 The transport officer goes back 23 there to take somebody in. But it</p>

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1 would have to be jail personnel. 2 And they would be -- you have to 3 mash a button to get in upstairs -- 4 or get through any of the doors so 5 you can be identified and -- to 6 determine who is trying to come 7 back in a secured area. 8 Q. And that would be the 9 person in the tower? 10 A. Yes, sir. That person 11 would be looking. 12 Q. Is the only person who can 13 let you in is the person in the 14 tower? 15 A. Yes, sir. 16 Q. And so how do you go about 17 -- when you want to go into the 18 jail how do you -- 19 A. When I -- 20 Q. -- go about doing that? 21 A. To the back. I would 22 either pick up the phone and call 23 on the intercom or we have a	37 1 good or for whatever reason they'll 2 say, hey, look, you can have 3 dispatch today. I'll cover you if 4 you've got to go to the bathroom or 5 whatever you need to do. I mean, 6 it was -- it's a mutual type thing. 7 It's no set specific time that you 8 had to go to the tower and relieve 9 the other person. And sometimes if 10 we were busy downstairs, the person 11 upstairs wasn't doing anything, 12 they'd call and say, hey, I'll come 13 down and finish this up if you want 14 to come up and sit down. I mean, 15 that's just -- we just work it out 16 between our working partner. 17 Q. So it's just between the 18 two of you who's up there at any 19 particular time? 20 A. Yes, sir. 21 Q. It's not an assignment? 22 A. No, sir. 23 Q. And so there is no record
1 hand-held radio. And that's normal 2 procedure that we do that. If for 3 some reason the radio was dead or 4 you happened to be halfway in the 5 back then you have to mash an 6 intercom button on the wall, tell 7 them who you are and where you want 8 to go. 9 Q. And when you do that the 10 person in the tower has to let you 11 in and let you out? 12 A. Yes, sir. 13 Q. Now, when you're in the 14 tower who gives you your breaks? 15 A. We don't have set break 16 times. If I'm downstairs when I 17 get caught up with my paperwork or 18 whatever I'm doing, normally we 19 would try to split it with a half a 20 shift. Sometimes it works out, 21 sometimes it don't. Sometimes the 22 person may want to stay in the 23 tower all day. They don't feel	38 1 about who was in the tower at any 2 particular time? 3 A. No, sir, nothing that has 4 -- that we permanently document on 5 every time we shift. Sometimes 6 whoever is there will say, you 7 know, relieved by Tim in the tower 8 or Mike or whatever, you know. 9 Sometimes it would be put in the 10 log but it was nothing specific 11 that we actually had to document 12 who was sitting in the tower 13 between certain times. 14 Q. And what -- when the 15 person in the tower has to go to 16 the bathroom how does it go? 17 A. There is a bathroom about 18 eight or ten feet in that same 19 cubicle right there. So that way 20 nobody ever leaves the -- ever has 21 to leave that tower. 22 Q. Now, at shift change who 23 is responsible for -- how do you go

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<p>1 about changing over a shift so that 2 it's always covered? 3 A. Well, we -- whoever is 4 relieving, say, my shift -- you 5 stay there till they walk in the 6 door. When they come in the door 7 we give them a briefing of what's 8 happened during the day, who's -- 9 how many people you've got in jail. 10 And that -- the other person 11 normally would go straight on to 12 the tower. They go up and get 13 their briefing from the tower 14 person and then they are relieved. 15 And that's normally the way it's 16 taken care of. 17 Q. Now, you've told me that 18 the cells were laid out -- there 19 are five different blocks, you told 20 me? 21 A. Yes, sir, A, B, C, D and 22 E. 23 Q. How many cells are in A</p>	<p>41</p> <p>1 if you've ever seen the area or 2 whatever. That's where our metal 3 tables are where they sit and eat 4 and watch TV. There's two cells -- 5 in the cell block there's two 6 telephones. But all of the rooms 7 are lined on one wall. So that 8 gives them a big open area out in 9 the front with the tables. 10 Q. And there are telephones 11 where? 12 A. On the wall, on the TV 13 wall, which would be right straight 14 across from the cell block. 15 Q. Are those public phones? 16 A. Yes, sir. But they're -- 17 you have to call collect to use 18 them. 19 Q. Is that something that you 20 can monitor from the tower? 21 A. No, sir. But we can watch 22 them from the tower use the phone 23 but we don't -- we can't listen to</p>
<p>1 block? 2 A. Right off the top of my 3 head I -- I believe there's ten. 4 Some of them have more than others. 5 Right off the top of my head I 6 can't -- 7 Q. And are all the cells in A 8 block on one level? 9 A. No, sir. You have half of 10 them on the bottom and then you've 11 got a set of steps and then the 12 other half are right above them. 13 If there's one through five, yeah, 14 there's ten in A block. 15 Q. And are men or women 16 housed in A block? 17 A. Men. Men are in there, 18 yes. 19 Q. And is there a day room or 20 more than one day room in A block? 21 A. Well, each -- there is an 22 open area out in the middle that we 23 call a day room, per se, or just --</p>	<p>42</p> <p>1 any conversation or anything. 2 There's nothing in the tower that 3 records any of the phone calls. 4 Q. And in A block -- how do 5 you get to it? 6 A. Straight down that 7 corridor, go through the second 8 door past the visitation. Soon as 9 you go past there it will be the 10 first secured door on your left and 11 it's marked A block. 12 Q. B block? 13 A. Is the next one past 14 there. 15 Q. And how many cells are 16 there in B block? 17 A. I believe there are -- I 18 think there's eight cells. One, 19 two -- either four -- I'm trying to 20 remember. I believe B block has 21 got four -- one, two, three, four, 22 five -- I believe there's eight in 23 there, the best I can remember</p>

45	1 right off the top of my head. 2 Q. Are they all on one level? 3 A. No, sir. They're all 4 split. They're just like A block 5 except they're on this wall instead 6 of this wall (demonstrating). 7 There is a dividing wall in the 8 middle between the two blocks. 9 Q. And does it have a day 10 room as well? 11 A. Yes, sir. 12 Q. Does it hold men or women? 13 A. Men. 14 Q. And does it have phones 15 in -- 16 A. Yes, sir. 17 Q. -- as well? 18 A. They're all the same. 19 Q. Are there bathroom 20 facilities in the day area or are 21 they in each cell? 22 A. They're in each cell. 23 Each cell has a complete bathroom.	47 1 a window on the door so you can see 2 into the door. 3 Q. What about from the 4 camera? 5 A. The camera can see all the 6 doors. 7 Q. All the doors to what? 8 A. To the cell blocks and in 9 the day room. 10 Q. Can it see in the 11 bathroom? 12 A. No, sir. 13 Q. Tell me about C block. 14 A. C block is the same 15 configuration. 16 Q. How many cells are in 17 that? 18 A. I believe there is -- I 19 believe there's ten cells in there. 20 And they're stacked the same way. 21 Q. And does -- is there a 22 similar day room? 23 A. Yes, sir.
46	1 Q. When you say, a complete 2 bathroom -- 3 A. Well, that's shower stall 4 and toilet. Yes, sir. 5 Q. Does it have a sink? 6 A. Sink, yes, sir. 7 Q. And can you see into that 8 area from the -- the -- 9 A. The day room area, yes, 10 sir. 11 Q. Can you see into the 12 toilet area and -- 13 A. No, sir. You might in one 14 or two of them if you really got 15 down and tried to bend and look. 16 But, no, sir, we don't -- we can't 17 see directly into each bathroom, 18 into the cell. 19 Q. What can you see in the 20 cell? 21 A. Well, you can see part of 22 the bunks from where we sit when 23 the doors are open. And they have	48 1 Q. Does it also have phones? 2 A. Yes, sir. 3 Q. And -- now, in the 4 bathrooms, are they same in C 5 block? 6 A. They're all the same. 7 Q. Are there women housed in 8 C block? 9 A. No, sir, all men. 10 Q. Does C block have a -- is 11 -- where is it located in relation 12 to A block and B block? 13 A. Across the hall. 14 Q. Across the hall? 15 A. Across the hall from B 16 block. You've got A first, then B, 17 C is right straight across 18 (demonstrating). 19 Q. Is there anything 20 different about C block from A 21 block? 22 A. No, sir. 23 Q. It has ten cells?

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1 A. The best I remember, yes, 2 sir --	1 console. 2 Q. Where is the console? 3 A. Sitting in the tower. 4 Q. So each cell has to be 5 opened and closed from the tower?	
3 Q. And B -- 4 A. -- right off the top of my 5 head. 6 Q. -- block has eight cells. 7 What's --	6 A. Yes, sir. 7 Q. Now, do the five cells in 8 D block have bathrooms? 9 A. Yes, sir. They're all the 10 same. All the cell cubicles in the 11 jail are all the same. They're -- 12 all got the same floor plan. 13 Q. You say, the same floor 14 plan --	
8 A. I believe so. 9 Q. -- the difference? 10 A. It's just the way they 11 were built. I don't know why. I 12 just -- that's just the way they 13 were put in there. 14 Q. Well, is there a size 15 difference?	15 A. They've got two bunks, a 16 small table with the two little 17 benches and then your bathroom area 18 all in the same cell. Each cell 19 has that. 20 Q. Each cell --	
16 A. I'm sure there is. I 17 don't know. I don't know exactly 18 how it's put together. 19 Q. But it also has phones? 20 A. Yes, sir. 21 Q. And D block. 22 A. D block has five cells, 23 two on top and three on the bottom.	21 A. Each individual cell has 22 that. 23 Q. Has two bunks?	
50		52
1 That's where the women are housed. 2 Q. Two on top and three on 3 the bottom? 4 A. Yes, sir. Two cells on 5 the top and three across the 6 bottom. 7 Q. Now, you say -- in all of 8 these there is a top and bottom. 9 Is there a stair that goes up? 10 A. Yes, a staircase. 11 Q. Is that inside the block? 12 A. Yes, sir, uh-huh. 13 Q. Is it open? 14 A. Yes, sir. 15 Q. Now, is there a way to 16 lock the cells down? 17 A. Yes, sir. 18 Q. How is that done? 19 A. When they shut the doors 20 they automatically lock. We have 21 to electronically open every door. 22 Q. How is that done? 23 A. Push a button on the	1 A. Yes, sir. 2 Q. They're on each wall of 3 the cell? 4 A. No, sir, they're stacked 5 on top. 6 Q. One on top of the other? 7 A. Yes, sir. 8 Q. And then there is a table? 9 A. Yes, sir, a small little 10 table that's fastened to the wall 11 with a little bench, sort of like a 12 miniature picnic table that sticks 13 out right here (demonstrating). 14 Q. And a bench to sit on? 15 A. Yes, sir. 16 Q. And then beyond that is 17 the bathroom area? 18 A. Just behind there is your 19 shower stall and your toilet and 20 lavatory. 21 Q. E block. How many cells 22 are in E block? 23 A. Three, and they're on the	

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	53		55
1	top. There's nothing -- there's --	1	bunk, I would say. It's -- I just
2	Q. On the top?	2	know that there's shelves there for
3	A. They're on the top level.	3	them to put their stuff on.
4	You have to go up a set of steps	4	Q. Now, do you ever go into
5	and there's three cells up there at	5	the cell?
6	the top. The bottom part of it is	6	A. Very seldom. Sometimes I
7	day room. It's a smaller place.	7	will go if they're having a
8	Q. The bottom part is day	8	shakedown but I haven't done it in
9	room?	9	a long time.
10	A. Yes, sir.	10	Q. Now, you said there's A,
11	Q. Are women held in there?	11	B, C, D and E block. Are there any
12	A. No, sir.	12	other blocks?
13	Q. And does it have any	13	A. No, sir. Well, there's --
14	difference in the way those cells	14	I take that back. Now, we do have
15	are constructed?	15	a library area, but that's just
16	A. No, sir. The cells are --	16	been done recently. The library
17	the individual cell itself is the	17	area room that they call it is
18	same.	18	where the trustees stay. And
19	Q. Are there two beds in each	19	across from the visitation --
20	one?	20	visitation is on the right going
21	A. Yes, sir.	21	down the hall. On the left-hand
22	Q. And they each have a	22	side there are three cells there.
23	table?	23	And those actually were put in to
	54		56
1	A. Yes, sir.	1	house juveniles. But we did not --
2	Q. Now, is there a table for	2	we don't house juveniles. And
3	each person or is there just one	3	those have been used also for
4	table for both people?	4	trustees to stay.
5	A. Just one table in there	5	Q. And what are trustees?
6	for both of them to sit. There's a	6	A. They are inmates that work
7	bench on this side and one on this	7	in the jail. They're -- they do
8	side (demonstrating) for them to	8	the maintenance as far as keeping
9	sit on.	9	the floors clean, cooking, that
10	Q. Is there anything in these	10	type of deal, working in the
11	cells for people to put their	11	kitchen.
12	personal effects?	12	Q. Where is the kitchen
13	A. Yes, sir. There's some	13	located?
14	shelves on the very far end of the	14	A. The kitchen -- if you come
15	bunk on the wall. There is a	15	through the first secured door it
16	couple of shelves right there where	16	would be to the left of where you'd
17	they can put individual stuff on	17	go into the booking room. It's
18	there, their toilet items and	18	right across the hall.
19	stuff.	19	Q. Now, the cooking room is
20	Q. And that's at the level of	20	on the left and the booking room is
21	each bunk?	21	on the right?
22	A. It's at the end of the	22	A. Right, yes, sir.
23	bunks, about the level of the top	23	Q. I'm confused because I

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<p>1 thought you told me the booking 2 room was on the left. 3 A. No, sir. When you come 4 straight through the front of the 5 jail, when you come through the 6 first door booking and dispatch is 7 on the right-hand side. And the 8 kitchen will be located on your 9 left. 10 Q. Now, where is -- 11 A. You go straight down -- 12 Q. Where is the 13 administration? 14 A. Administration is through 15 the front main door of the jail. 16 Q. It will be on the left as 17 well? 18 A. It's on the left, yes, 19 sir, as soon as you come in the 20 front door. 21 Q. Now, is there anything -- 22 you told me about the library and 23 the -- it has some -- you say</p>	<p>57</p> <p>1 there was not -- anybody was not 2 housed there, no, sir. 3 Q. Now, what other cells were 4 there in the jail at that time? 5 A. That's all. 6 Q. Well -- 7 A. Well, now, we have two 8 holding areas that are located in 9 the booking room. 10 Q. Holding areas in -- 11 A. Yes, sir. 12 Q. -- the booking room? 13 A. Yes, sir, there's two. 14 Q. Tell me about that. They 15 are located in the booking room. 16 So when you come off of the main -- 17 A. Hallway. 18 Q. -- hall you turn to the 19 left? 20 A. Turn to the right. 21 Q. Turn to -- 22 A. Go -- 23 Q. -- to the right?</p>
<p>1 that's recently done. Back in 2 2003, 2004 was the library area -- 3 A. Yes, sir. That's where 4 they kept books for the inmates to 5 read. 6 Q. It wasn't used as cells? 7 A. No, sir. 8 Q. And back in that time 9 frame -- which all of my questions 10 are limited to that time frame -- 11 A. Yes, sir. 12 Q. -- unless I tell you 13 otherwise -- 14 A. Okay. 15 Q. -- okay? 16 A. Yes, sir, that's fine. 17 Q. From November of 2003 18 through March of 2004. 19 A. Okay. 20 Q. So at that time the 21 library was a library and not a 22 cell block; is that true? 23 A. Yes, sir. It was not --</p>	<p>58</p> <p>1 A. Turn to the right. 2 Booking and dispatch is all in one 3 big area. It's just separated by 4 some walking -- open door way. But 5 the dispatch is up close to the 6 window. And you come back, we have 7 the finger print machine and that 8 is the booking area along with -- 9 the room area in front of booking, 10 we call -- all of that is called 11 the booking area. 12 Q. How big a space are we 13 talking about? 14 A. Maybe a -- sort of an L 15 shape. But it's probably twenty 16 feet long and -- at the widest 17 point, maybe eighteen. 18 Q. And that's booking and 19 dispatch? 20 A. Yes, sir. All of that is 21 in one area. 22 Q. And in that area -- who 23 would work in there? You told me</p>

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<p>1 that you would work in there --</p> <p>2 A. Yes, sir.</p> <p>3 Q. -- sometime. Would there</p> <p>4 be anyone other than a jailer</p> <p>5 working in there?</p> <p>6 A. Sometimes there will be a</p> <p>7 deputy there, especially on court</p> <p>8 day when we're bringing people in</p> <p>9 and out from -- to and from court.</p> <p>10 Deputies, of course, work that day</p> <p>11 also and they help out with moving</p> <p>12 and cuffing and uncuffing and</p> <p>13 whatever we have to book in or</p> <p>14 release.</p> <p>15 Q. And -- now, to get into</p> <p>16 that area -- that's a -- through a</p> <p>17 secure door as well?</p> <p>18 A. Yes, sir, you have to come</p> <p>19 through a secure door.</p> <p>20 Q. And when you're -- is that</p> <p>21 a door that is locked behind you</p> <p>22 every time you come in and out?</p> <p>23 A. Yes, sir. When you go</p>	<p>61</p> <p>1 you told me there are two holding</p> <p>2 cells.</p> <p>3 A. Yes, sir.</p> <p>4 Q. Is one of them called the</p> <p>5 detox?</p> <p>6 A. Well, they're both -- I</p> <p>7 think on the plans that I looked at</p> <p>8 years ago it might have been detox</p> <p>9 one -- or the whole thing might</p> <p>10 have been a detox. I don't know.</p> <p>11 I really don't know how it was</p> <p>12 labeled. But I just know -- and</p> <p>13 it's marked and it's -- we just</p> <p>14 call it -- always call it holding</p> <p>15 area.</p> <p>16 Q. And where are those cells</p> <p>17 located in the holding area? I</p> <p>18 mean --</p> <p>19 A. Okay.</p> <p>20 Q. Excuse me. Where are they</p> <p>21 located in the booking area?</p> <p>22 A. From booking -- if you're</p> <p>23 standing in the booking area one</p>
<p>1 through there it automatically</p> <p>2 shuts behind you.</p> <p>3 Q. So the person who's</p> <p>4 operating doesn't leave the door</p> <p>5 open for you if you need to go back</p> <p>6 and forth?</p> <p>7 A. No, sir.</p> <p>8 Q. How long --</p> <p>9 A. And that's going from the</p> <p>10 hall into the front part of the</p> <p>11 sheriff's office -- we're correct</p> <p>12 on that. Okay.</p> <p>13 Q. How long do you have to --</p> <p>14 before the door closes behind you?</p> <p>15 A. It closes quick. It's a</p> <p>16 stout door. It --</p> <p>17 Q. Ever been caught in it?</p> <p>18 A. No. I've been lucky.</p> <p>19 Q. Anybody ever been caught</p> <p>20 in it?</p> <p>21 A. No, sir, nobody's been</p> <p>22 ever caught in the door.</p> <p>23 Q. Now, in the booking area</p>	<p>62</p> <p>1 room is straight to the back and</p> <p>2 the other one is right on the</p> <p>3 right-hand side where the outside</p> <p>4 door goes into the sally port. So</p> <p>5 if you come through the sally port</p> <p>6 you go through two little secured</p> <p>7 doors right there. As soon as you</p> <p>8 come through the second secured</p> <p>9 door the first holding room is on</p> <p>10 your right and the second one is</p> <p>11 straight in front of you</p> <p>12 (demonstrating). This is where we</p> <p>13 always bring people to and from</p> <p>14 court. Or if you have somebody</p> <p>15 that has been arrested we bring</p> <p>16 them through the sally port secure</p> <p>17 area.</p> <p>18 Q. Now, when you go into the</p> <p>19 holding area is there anything --</p> <p>20 any kind of wall that separates the</p> <p>21 holding area from the rest of the</p> <p>22 booking?</p> <p>23 A. Nothing but the door.</p>

<p>1 Q. And what are the 2 dimensions -- are they both the 3 same size?</p> <p>4 A. No, sir, one of them is 5 smaller than the other one. One is 6 about eight by ten, eight by 7 twelve. And the other one is 8 probably sixteen by fourteen. Just 9 guessing.</p> <p>10 Q. Now, in the holding -- in 11 the holding cells, the eight by ten 12 one, do you have a name that you 13 refer to that?</p> <p>14 A. It's holding number one, I 15 think it is.</p> <p>16 Q. And --</p> <p>17 A. It's either one or two. I 18 don't remember which one it is. 19 It's marked on the door.</p> <p>20 Q. You say it's eight by ten?</p> <p>21 A. Yes, sir. Just guessing 22 off the top of my head. I really 23 don't -- it's -- that would be</p>	<p>65</p> <p>1 over it.</p> <p>2 Q. So you can't reach your 3 hand down in it?</p> <p>4 A. Well, you could if you 5 tried. I guess you might could 6 stick your hand down through, maybe 7 the little bar or something. But 8 normally, no, it's not made for -- 9 you can hang your hand or stick 10 your foot in it.</p> <p>11 Q. And is there a sink in 12 there?</p> <p>13 A. No, sir.</p> <p>14 Q. Is there a shower in 15 there?</p> <p>16 A. No, sir.</p> <p>17 Q. Is there a bed in there?</p> <p>18 A. There is a concrete block 19 ledge that is built onto the back 20 wall that's -- that a mat can fit 21 there. And it's also all the way 22 around in the bigger holding area.</p> <p>23 Q. All the way around?</p>
<p>1 fairly close.</p> <p>2 Q. Does it have a toilet in 3 it?</p> <p>4 A. No, sir. But it does have 5 a drain that is a flushable type 6 urinal that's made into the floor 7 in one corner. And that's for 8 either urination or sometimes the 9 intoxicated people will throw up. 10 All that's concrete floor where it 11 can be washed out.</p> <p>12 Q. So it's a hole in the 13 floor --</p> <p>14 A. It's got -- it has a grate 15 on it. It's made out of stainless 16 steel and --</p> <p>17 Q. And how big around is that 18 hole?</p> <p>19 A. It's probably a foot, 20 maybe fifteen inches big around -- 21 or across it (demonstrating).</p> <p>22 Q. And how --</p> <p>23 A. It's got a metal grate</p>	<p>66</p> <p>1 A. All the way around the 2 inside. It's up against the wall 3 but it sits out about thirty-six, 4 maybe forty inches wide.</p> <p>5 Q. All the way around?</p> <p>6 A. Yes, sir. And it -- you 7 can -- it's all the way around in 8 that one and in the other one it's 9 just on the back wall.</p> <p>10 Q. Now, are there any 11 shelves --</p> <p>12 A. No, sir.</p> <p>13 Q. -- in there?</p> <p>14 Are there any windows?</p> <p>15 A. No -- just on the door.</p> <p>16 There is no outside window to that.</p> <p>17 Q. Is that -- how big is the 18 window on the door?</p> <p>19 A. They're probably about a 20 foot square. Maybe a little bigger 21 but that's approximately.</p> <p>22 Q. Now, in the -- what kind 23 of lighting is there?</p>

1 A. There's florescent lights 2 in the inside. 3 Q. Like these right here 4 (indicating)? 5 A. They're secured where you 6 can't take them out or tear them up 7 without a whole lot of -- they've 8 got secure screws on them. 9 Q. How high are they off of 10 the -- 11 A. Eight -- eight feet. 12 Q. Are you -- 13 MS. McDONALD: Do you 14 know? 15 THE WITNESS: I don't 16 know. I'm just guessing. 17 Approximately around eight feet. 18 That's -- I'm just -- 19 MS. McDONALD: If you 20 don't know just say you don't know. 21 Don't -- 22 THE WITNESS: Okay. 23 Q. (By Mr. Stockham) Are	69	1 A. No, sir. We have to flush 2 it from the outside in both rooms. 3 There's a fixture on the wall. 4 Q. What kind of a fixture? 5 A. It's just a big -- it's a 6 big spring button (demonstrating), 7 one for each room. 8 Q. Which one is called the 9 hole? 10 A. We don't call it the hole. 11 Inmates have named both areas. 12 I've heard that ever since we've 13 been in the new jail. That is not 14 -- we don't refer to that as the 15 hole. It's a holding area. The 16 only place it came from -- all I 17 know is the inmates would call it. 18 Q. Which ones do the inmates 19 call the hole? 20 A. Both, I guess. 21 Q. Now, other than the size 22 and one of them has a bench that 23 goes all the way around is there	71
1 there -- anything -- any other 2 fixtures in that room other than 3 what you've told me about so far? 4 A. There's a camera located 5 in both rooms. 6 Q. Tell me where the camera 7 is located. 8 A. The camera is located in 9 -- when you go in the door the one 10 in the smaller room is on the top 11 right-hand side. In the bigger 12 door it's in the far right corner, 13 located up in the corner of the 14 ceiling. 15 Q. And the camera is a -- one 16 that just hooks up to the regular 17 video like you were telling me 18 about? 19 A. Yes, sir. Yes, sir. 20 Q. And the toilet facility, 21 the hole you were telling me about. 22 Is it -- how -- is it something you 23 can flush from inside?	70	1 any difference between the two of 2 them? 3 A. No, sir. 4 Q. Any water facility in 5 either one of them? 6 A. No, sir. They're both the 7 same. 8 Q. Now, is there a vent in 9 either one of them? 10 A. Yes, sir. They've got -- 11 I believe so, yes, sir, there is. 12 Q. Where is the vent? 13 A. Located in the ceiling. 14 Yes, sir. There's vents there. 15 Q. Is that something that the 16 inmate can operate? 17 A. No, sir. 18 Q. Who operates the vent? 19 A. As far as I know the vent 20 -- the air vent stays on all the 21 time. I don't know. The 22 thermostat is pre-set for the 23 wintertime and the cooling of the	72

1 jail. There's several thermostats 2 located throughout the jail. 3 Q. Is there a thermostat in 4 the holding area? 5 A. In the holding area, no, 6 sir. There is vent there for your 7 heat and air. But the thermostat 8 is out in the bigger open area. 9 Q. The thermostat is in the 10 booking area? 11 A. Yes, sir. 12 Q. And so who controls the 13 temperature in the holding area? 14 A. Well, that would be 15 controlled by that thermostat 16 that's in the booking area. But it 17 -- that thermostat takes care of 18 several other places in the jail 19 that I don't know about. 20 Q. It takes care -- at least 21 it takes care of the booking area 22 and the holding area, though, 23 right?	73 1 hall or any other rooms. I do know 2 that that thermostat is set there 3 and I do know that it does take 4 care of part of the dispatch and 5 the booking area. What all it 6 encompasses, I don't know. 7 Q. Do you -- well, are there 8 any other rooms that it might 9 encompass that you know of? 10 A. I don't -- I don't know. 11 I don't know how the workings are. 12 Q. I've -- the reason why I 13 ask is I've covered the front 14 office and you say that's a 15 separate thermostat? 16 A. Yes, sir. There's one up 17 in the front, yes, sir. And then 18 there is one in dispatch that 19 covers part of that in the dispatch 20 room and part of the front area. 21 But, now, all that -- during this 22 time period you're talking that's 23 -- I've only -- I only know about
74 1 A. Yes, sir. 2 Q. Does it take care of the 3 front office? 4 A. No, sir. 5 Q. Does it take care of any 6 of the other cell blocks? 7 A. That I don't know, sir. 8 The cell blocks in the back are 9 controlled from four thermostats 10 that are up in the tower -- or 11 five. Four of them in the tower, I 12 believe it is. 13 Q. Okay. 14 A. Those -- that's -- they're 15 all different units. 16 Q. So does the thermostat in 17 the holding area work on the 18 kitchen? 19 A. No, sir. The kitchen has 20 its own thermostat. 21 Q. So does the thermostat in 22 the holding area work on the hall? 23 A. I don't know about the	76 1 the thermostats in the tower that 2 work a cell. The one in booking, I 3 just know where it works right 4 there because you -- we have a vent 5 right there and that takes care of 6 that area. The kitchen has its 7 own. And how they're configured 8 and where all they feed, I don't 9 know. 10 Q. Now, the library, where is 11 it -- the thermostat located? 12 A. I don't know. I really 13 don't. 14 Q. How about the visitation 15 area, where was it -- where is its 16 thermostat? 17 A. I don't know, sir. 18 Q. Well, who would operate 19 the thermostat, say, if it got too 20 hot or got too cold? 21 A. Whoever was working. 22 Q. So if you were working in 23 the booking area and it was too hot

<p>1 you'd operate it? 2 A. Yes, sir. 3 Q. Or if it was too cold? 4 A. If it's too cold you can 5 turn it up or down. And I think 6 since -- I don't know. There's 7 been a lock box put on it to -- 8 but, now, when it was on there, I 9 don't remember. I don't have a 10 clue. 11 Q. So with the lock box on 12 there you can't adjust it? 13 A. No, sir. 14 Q. You'd just have to suffer? 15 A. No, you can pick the phone 16 up and call somebody, I'm sure, to 17 get the air turned down. 18 Q. Have you ever had to do 19 that? 20 A. No, sir. 21 Q. Now, who sets the schedule 22 for the jailers? 23 A. Administration, as far --</p>	<p>77</p> <p>1 A. No, sir, it doesn't rotate 2 but it's just through turnover in 3 the jail. I mean, some of them 4 stay there for a while, some don't. 5 Q. Who was your main partner? 6 A. I couldn't tell you during 7 that time. I've had several. 8 Q. Well, I'm looking at some 9 of these documents that have been 10 produced, which are these -- there 11 is a tower log and a shift report. 12 A. Yes, sir. 13 Q. Who is responsible for 14 filling those out? 15 A. Whoever is working 16 downstairs will start the day shift 17 report. And that's taken care of 18 through the dispatch area. And 19 that will be started there. 20 Whoever is in the tower would start 21 a tower log for that shift. And 22 then whoever is upstairs or 23 downstairs during that day adds to</p>
<p>1 the jail supervisor. 2 Q. Okay. Who -- 3 A. But -- 4 Q. In this time frame who 5 would that be? 6 A. Wendy. Or if she was out 7 then it would be Sheriff Wilson. 8 Q. And would that -- would 9 you have any input into -- 10 A. No, sir. 11 Q. -- when that was? 12 A. My schedule has never 13 changed. It's just standard. I 14 mean, we know when we work but -- 15 unless you take vacation or 16 something. 17 Q. Did you have -- 18 A. It's just -- 19 Q. Did you have the same 20 partner working with you every 21 time? 22 A. No, sir. 23 Q. Would that rotate?</p>	<p>78</p> <p>1 whatever they need to to put on the 2 shift report or the tower log. 3 Q. So is it something that's 4 on a computer? 5 A. Yes, sir. 6 Q. That you just type in -- 7 A. You just type it in, yes, 8 sir. 9 Q. As it goes along? 10 A. Yes, sir. 11 Q. Looking here at -- in this 12 -- now, why is there both a shift 13 report and a tower log? 14 A. Because some things happen 15 down in the dispatch area that 16 would be different than goes on in 17 the tower. Tower people -- just 18 whatever happens during that shift 19 through the tower, that's noted up 20 there. And sometimes it's 21 duplicated but -- there are things 22 goes on in dispatch that don't go on in the tower.</p>

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<p>1 Q. And so it's whoever is 2 there that writes it down, what 3 gets to be on the report? 4 A. Yes, sir. 5 Q. For example, I'm looking 6 at a day shift -- 7 MR. STOCKHAM: I'm going 8 to mark this as an exhibit but -- 9 MS. McDONALD: We can go 10 make another copy of it. 11 (Whereupon, an 12 off-the-record 13 discussion was held.) 14 (Whereupon, a brief 15 recess was taken in 16 the deposition.) 17 Q. (By Mr. Stockham) Now, 18 you've told me about the tower log 19 and the shift report. Whoever is 20 responsible for filling those out 21 at the time do you print it out at 22 the end of the shift? 23 A. Yes, sir.</p>	<p>81</p> <p>1 with me on my shift. I don't know. 2 Q. Well, I'm going to -- 3 A. I'm going to just have to 4 look at them. 5 Q. -- hand you for the 6 moment -- 7 A. Okay. 8 Q. -- the shift report -- 9 looks like the shift report -- 10 well, look -- twelve -- for 11 December of 2003 to see if that 12 one -- 13 A. Okay. Tim Lipscomb still 14 works there. 15 MS. McDONALD: You can 16 undo it. 17 A. The Stroud boy does not 18 work there. I don't even remember 19 his first name. Dana Harris now 20 works in Talladega. Green is a 21 deputy with Talladega County now. 22 Then there's Lipscomb and Stroud 23 again. Harris. I can't remember</p>
<p>82</p> <p>1 Q. And then what's done with 2 it? 3 A. It's put into the -- an 4 administration box. Then that's 5 who -- the immediate supervisors 6 look at the next day to see what 7 went on during that time. And then 8 from there I don't know. They're 9 filed. 10 Q. Do you initial them or 11 anything? 12 A. No, sir, we don't. Our 13 names are at the top. 14 Q. Now, who was working in 15 the jail in this time frame? 16 A. As far as supervisors? 17 Q. As far as employees in the 18 jail. 19 A. There were several 20 employees. We've been through 21 many. Immediate supervisors, I'd 22 have to look at my reports just to 23 see who was working at that time</p>	<p>82</p> <p>1 that Kelly person right off the top 2 of my head. Jan Calfee. This was 3 on my shift. She no longer works 4 there. 5 Q. Lipscomb, Stroud, Calfee, 6 Harris. Anyone else? 7 A. Harris. 8 Q. Who is Harris? 9 A. All right. There was two 10 Harrises at the time. One of them 11 is Dana Harris and the other -- 12 Q. Is that a man or woman? 13 A. That's a female. And then 14 Dewayne Harris was her husband. I 15 don't remember this Kelly person 16 right off -- not right off the bat. 17 That was a night shift person. 18 Those are the immediate ones that I 19 see right here that you've got -- 20 Q. I've got -- 21 A. -- separated. Yes, sir. 22 Q. -- Lipscomb, Stroud, 23 Calfee, Harris, Harris, Kelly and</p>

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<p>1 you. 2 A. Green. 3 Q. Green and you. 4 A. Yes, sir. That's just 5 what I see just -- briefly just 6 tagging through here. 7 Q. Well, who is Hay? 8 A. Steve Hay no longer works 9 here either. He was -- at one time 10 he worked on a shift and then he 11 went to a day shift type thing, 12 like an eight to four or eight to 13 five. And he was sort of the 14 assistant to Wendy at one time. 15 Now, he also pulled shift 16 some at one time when we would have 17 -- short of personnel, somebody 18 would take leave, out sick. Then 19 he would not work a regular eight 20 to five. He would have to come on 21 and work a twelve hour shift, 22 either night or day depending on 23 who was here and who wasn't or</p>	<p>85</p> <p>1 A. That was Kay Taylor. Now, 2 her husband worked there for a 3 little while but he didn't work 4 long. 5 Q. What's his name? 6 A. Don. 7 Q. Does -- 8 A. But he didn't work long. 9 But Kay worked there a pretty good 10 while. 11 Q. Is she still there? 12 A. No, sir. 13 Q. And you say you don't know 14 who Kelly is? 15 A. Uh-uh. No, sir. I can't 16 -- I don't -- I just don't remember 17 that. 18 Q. Who is Peoples? 19 A. That's Adam Peoples. He 20 is working here also now. He is 21 one of the supervisors. 22 Q. Who is Moon? 23 A. Moon is Bradgel Moon.</p>
<p>1 where he was needed. 2 Q. One of the things that I 3 have been shown here is a day shift 4 report for January 1, 2004. And it 5 shows you and Hay. 6 A. Yes, sir. 7 Q. Is that what you're 8 talking about, he would come and 9 work a -- 10 A. Yes, sir. 11 Q. -- full -- 12 A. Yes, sir. 13 Q. Okay. And -- 14 A. That would be it. 15 Q. It's got both of your 16 names on there. It doesn't say who 17 was in the tower and who was in the 18 shift. 19 A. That's correct. That 20 mainly would show who was working 21 that day shift for that day. 22 Q. Another one that I see in 23 here is a Taylor. Who is Taylor?</p>	<p>86</p> <p>1 Q. Who? 2 A. Bradgel. I don't know how 3 to spell it. He is now a deputy. 4 Q. Still employed? 5 A. Yes, sir. 6 Q. Is Lipscomb still 7 employed? 8 A. Yes, sir. 9 Q. Stroud is not? 10 A. No, sir. 11 Q. Is Calfee still employed? 12 A. No, sir. 13 Q. Is Dana Harris still 14 employed? 15 A. No, sir, not here. 16 Q. Is Don Harris still 17 employed? 18 A. Dewayne Harris? 19 Q. Dewayne. 20 A. Yes, sir, he's a deputy. 21 Q. And you say, deputy. 22 You're a deputy, so -- 23 A. Yes, sir. But I don't</p>

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89	<p>1 work -- these are road deputies. 2 They are -- they go out on patrol. 3 Q. Dana Harris is a deputy 4 but not here? 5 A. No -- no, sir. She is a 6 jailer's -- far as I remember she 7 is a jailer in Talladega County 8 jail. 9 Q. And Kelly, you -- 10 A. I don't remember. I don't 11 remember that person. I 12 couldn't -- 13 Q. Green? 14 A. Green. I do know his 15 name. It's Aaron Green. 16 Q. And he -- 17 A. He is a deputy in 18 Talladega County now. 19 Q. And Hay? 20 A. Hay no longer works here. 21 he works with Pardon and Parole 22 Board. 23 Q. Kay Taylor?</p>	91 <p>1 Q. Well, like -- just to show 2 you on -- 3 A. Okay. 4 Q. -- on night shift -- at 5 the top of that it's got three 6 people listed. 7 A. Okay. Taylor would have 8 been there for a while. Harris 9 would have been there for a while. 10 And Green may have been training as 11 a new person that's just come to 12 work. That was the only reason I 13 could figure that there would be -- 14 that's the only time we ever have 15 three people on one shift. And 16 normally they would start on a 17 night shift just to get them 18 familiar with working in the jail. 19 That would be the only explanation 20 I have for that because I really 21 would not know. 22 Q. For example, on 1-9-04 it 23 shows four people working.</p>
90	<p>1 A. Is retired. 2 Q. And Don Taylor? 3 A. Don Taylor -- I don't know 4 what Don does. 5 Q. He's not here? 6 A. No, sir. 7 Q. And Adam Peoples still 8 works here. So of the people that 9 we've listed only you, Moon, 10 Lipscomb and Peoples still work 11 here; is that true? 12 A. Yes, sir. 13 Q. Now, some of these, I 14 notice, have got just two people on 15 them. Some of them have got three 16 and some of them have got four. 17 A. Some of those are 18 trainees, I would imagine. I'll 19 just have to look and see. Some of 20 them may come to work and have to 21 leave, for some reason, part of a 22 day and you've got another person 23 that comes in and works.</p>	92 <p>1 A. Okay. 2 MS. McDONALD: If you 3 don't know -- 4 A. I don't know why because I 5 wasn't working that day and I 6 really don't know. 7 Q. All those folks were not 8 trainees, though, were they? 9 A. No, sir. Roberson would 10 not have been. Like I -- I don't 11 remember when the rest of them were 12 -- when they were hired. 13 Q. Well, Calfee was someone 14 that you usually worked with? 15 A. I worked with her for a 16 short time, yes. 17 Q. When you say, a short 18 time, why -- 19 A. It wasn't -- she wasn't 20 here long. She came -- when she 21 came to work. And then she -- she 22 got pregnant and then she had some 23 complications and then she was -- I</p>

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<p>1 don't -- can't remember whether she 2 came back for a little short time 3 and found out she just couldn't 4 work. But it was just sort of an 5 on and off type thing. She got 6 sick during her pregnancy. 7 Q. But the heading at the top 8 should be the same for both the 9 tower log and the report, though, 10 shouldn't it?</p> <p>11 A. Pretty much so, yes, sir. 12 I -- it's -- there's no standard 13 form of how we do it. We just type 14 on there -- it's either, tower 15 shift, or -- some of them put, 16 night tower log. It's -- but it's 17 specified either day shift or night 18 and whoever is working. 19 Q. Looking in the lower 20 right-hand corner there it looks 21 like to be three signatures -- 22 three initials on there. Do you 23 know whose initials those are?</p>	<p>93</p> <p>1 Q. He would have been working 2 with you but also been a 3 supervisor? 4 A. Yes, sir. That's what I'm 5 saying. He was -- that third 6 person on the supervisor list, if 7 you want to call it that, is -- he 8 is a supervisor. He reviews 9 immediate paperwork. He makes sure 10 who's working the shift, that type 11 of thing. But then, again, he's 12 also the fill-in person if we 13 needed another person to come in 14 and work when somebody laid out or 15 was on vacation. 16 Q. Now, apart from the tower 17 log and the shift log was there 18 anything else that your -- that you 19 filled out on a regular daily 20 basis? 21 A. No, sir, not from shift 22 schedule that I can immediately 23 think of. I --</p>
<p>1 A. Terry Wilson, Wendy 2 Roberson and this one looks like 3 Adam Peoples here (indicating). So 4 if his signature is on here then 5 that would put him as working as 6 one of the shift supervisors. 7 Q. And who is KSH? 8 A. I don't know. I'd have 9 to -- 10 Q. I'll show you on -- the 11 initial on the bottom of the -- 12 A. Kenneth Stephen Hay. 13 Q. Okay. So he would be a 14 supervisor? 15 A. Yes, sir. He was -- he 16 would have been working under Wendy 17 Roberson at this time. 18 Q. All right. On January -- 19 A. Along with Terry. 20 Q. On January -- 21 A. That's the 1st. Yeah. 22 Q. -- 1st. 23 A. Uh-huh, of '04.</p>	<p>94</p> <p>1 Q. Well, was there a 2 medication sheet? 3 A. Medication sheet was done 4 that -- yeah, it was separate from 5 this (indicating). That would be 6 the -- I would think the next paper 7 that we would actually fill out. 8 And that just determines on whether 9 -- what time when they took their 10 medication. But, yes, that was 11 filled out also. 12 Q. Who would fill out the 13 medication -- 14 A. Whoever handed out the 15 medication at whatever specific day 16 or time during that -- whether it 17 would be -- the person -- whoever 18 was downstairs normally passed out 19 the meal plates and they did the 20 medical log, too. 21 Q. They passed out the meal 22 plates and the medical log? 23 A. And the medicine, yes,</p>

97	1 sir. 2 Q. Now, the trustees wouldn't 3 hand out the meals? 4 A. The trustees were there. 5 We took the meals down. The 6 trustees would actually hand the 7 trays. But, now, we took care of 8 the medicine. We -- that's all we 9 did. We opened the doors -- made 10 sure that the doors were clear, we 11 opened the doors and they hand the 12 trays out to them. Then after the 13 trays are passed out then the 14 medicine was given. 15 Q. And when you say, the 16 medicine is given, how is it done? 17 A. We had the log and we had 18 the medicine with us. We'd go 19 through and look and see who needs 20 what medication at what time. Then 21 that medication is taken to the 22 back and to the inmate. They take 23 it. We make sure that their mouth	99	1 page it appears to cover a full 2 month's time, doesn't it? 3 A. Yes, sir. 4 Q. And are your initials on 5 that? 6 A. Yes, sir. For instance, 7 on the 4th right there (indicating) 8 is AB and AB. 9 Q. On the 4th? The first two 10 are your signature? 11 A. Yes, sir. 12 Q. How about on the 8th and 13 9th? 14 A. Okay. Mine is on the top. 15 Jan Calfee's is below mine on the 16 9th. There are three times. And 17 Dana Harris is on the 4th one -- or 18 Dewayne. I don't know which Harris 19 it was. They both had the first 20 initial of D. 21 Q. Now, the fourth one, what 22 does that refer to? There are four 23 time frames on there?
98	1 is clear when they swallow it. And 2 that's our procedure. And this 3 also is done and then the inmate 4 will initial the form there that he 5 received his medicine. 6 Q. And when -- these are the 7 medical logs that I found from the 8 jail records that was produced to 9 me. I don't see a date as to which 10 month they refer to. Can you look 11 at them and tell me which month -- 12 MR. STOCKHAM: Let me mark 13 this as Exhibit One. 14 (Whereupon, Plaintiff's 15 Exhibit One 16 was marked for 17 identification.) 18 Q. Looking at any one of 19 those can you tell me what month 20 that refers to? 21 A. No, sir, it's not on here. 22 No, sir, I don't see it. 23 Q. Now, looking at the first	100	1 A. Yes, sir. You have 2 breakfast, lunch, supper and 3 bedtime. And according to this he 4 would get those four times a day. 5 And the fourth would be the morning 6 time. I gave him the breakfast and 7 the lunch. And the supper meal was 8 given out by Jan Calfee. 9 Q. And looking at this first 10 page again. Tell me what days you 11 reflect that you have initialed. 12 A. Well, let's see. There is 13 one on breakfast meal on the 3rd, 14 the 4th, again on the 8th on 15 breakfast and the 9th, the 12th and 16 13th and 14th, again 17th, 18th, 17 22nd, 23rd, 26th, 27th and 28th and 18 on the 31st. 19 Q. 26th, 27th, 28th and 31st. 20 Okay. 21 A. Okay. 22 Q. And looking at that is 23 there any way to tell what month

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1 that is? 2 A. No, sir. 3 Q. Now, he wasn't taken in 4 until the middle of the month on 5 the -- in November of 2003. So 6 that probably wouldn't be that 7 month. And he wasn't there after 8 the 16th on January, so it probably 9 wouldn't be that month, would it? 10 A. I don't know, sir. 11 MS. McDONALD: That makes 12 sense. 13 Q. Any way that you know to 14 identify which month is which? 15 A. Do I know? 16 Q. Yes, sir. 17 A. No, sir. 18 Q. Who trained you in how to 19 use this log? 20 A. Wendy Roberson would have 21 been the one that showed us because 22 that is -- that's -- was an order 23 log. It's not made up by us.	1 there, do you? 2 A. I don't know. 3 MS. McDONALD: Will this 4 (indicating) be what it would be? 5 THE WITNESS: This is the 6 same. These we'd just run off if 7 they -- 8 MS. McDONALD: Right. 9 THE WITNESS: -- were out 10 of duplicate copies but -- 11 MS. McDONALD: This seems 12 to have -- 13 THE WITNESS: I don't -- I 14 don't see any. 15 MS. McDONALD: Richard, 16 there is a -- there's a sheet 17 that's only got signatures at 18 night. It looks to be like a full 19 month. 20 MR. STOCKHAM: I don't 21 have that one but -- 22 MS. McDONALD: I don't -- 23 and it --
1 Q. When did she teach you how 2 to do that? 3 A. That I don't know. 4 Q. And who would be 5 responsible for putting in the 6 names of the medications on here? 7 A. Whenever the -- whoever 8 was working on that time whenever 9 the medication came in and it was a 10 new sheet or we -- medication was 11 changed or added then it would -- a 12 sheet would be filled out for 13 whoever accepted the medicine. 14 Q. And what happened if you 15 had more than -- this has got, one, 16 two, three, four, five, six -- 17 A. You add another sheet to 18 it. 19 Q. Add another sheet? 20 A. Yes, sir. 21 Q. Well, in what I have been 22 produced I don't see any other 23 sheet that's got a full month on	1 MR. STOCKHAM: Wait a 2 minute. I may. But it -- 3 MS. McDONALD: It has the 4 Pamelor or -- 5 MR. STOCKHAM: It begins 6 on the 3rd -- well, no. I guess it 7 begins -- 8 MS. McDONALD: No. 9 Actually there is a bedtime initial 10 on the 1st. 11 MR. STOCKHAM: Okay. 12 Q. (By Mr. Stockham) Now, 13 you say Wendy taught you how to 14 fill this out? 15 A. Well, we were just showed 16 how. Yes, sir. 17 Q. Now, who was responsible 18 for receiving the prescription? 19 A. Receiving the 20 prescription? 21 Q. Yeah. How did you know 22 what drugs to give whom when? 23 A. Because it was labeled on

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<p>1 the package that we had. It gave 2 you instructions as to what -- just 3 like on a prescription bottle or a 4 prescription that we -- any way we 5 got it, through a blister pack, 6 whatever we was sent from the drug 7 store. And it told you on there 8 when to take it and that's what's 9 added on -- that's what's put on 10 there (indicating).</p> <p>11 Q. Do you know, looking at 12 this Exhibit One, whose handwriting 13 it is that lists the medications?</p> <p>14 A. No, sir, I do not. I 15 don't know who received that.</p> <p>16 Q. And it appears to be a 17 different handwriting from the 18 second page. Do you know whose 19 handwriting that is on the second 20 page?</p> <p>21 A. That looks like mine. 22 But, now, I don't -- this 23 (indicating) was a follow-up from</p>	<p>1 Q. Yeah. Which days do you 2 -- does it show your initials? 3 A. Well, I'm showing the 1st, 4 the 5th, the 6th and that's all -- 5 Q. Okay. 6 A. -- that I see right off 7 the bat. 8 Q. Now, looking at the third 9 page. It appears to be from the 10 8th through the 16th. Are your 11 initials on that page at all? 12 A. No, sir. I don't see it. 13 Q. On the fourth page it 14 appears to be the 5th through the 15 29th. Any of those have your 16 initials? 17 A. 7th, the 12th, 13th, 16, 18 17 and 18, 21, 22, 26 and 27th. 19 Q. On the next page it 20 appears to be the 27th through the 21 30th. Any of those reflect your 22 signature? 23 A. One on the 28th, 29th and</p>
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<p>1 this page (indicating). This 2 (indicating) was copied from here 3 to put over here (indicating).</p> <p>4 Q. Page two looks like the 5 month of January because it goes 6 from the 1st through the 16th. 7 Does that look about the same to 8 you?</p> <p>9 A. Well, it -- I don't know 10 what month it is. No, sir. I 11 don't have a clue.</p> <p>12 Q. Well, it says from the 1st 13 of the month through the 16th, 14 though, doesn't it?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And is your signature or 17 initials are on that at all?</p> <p>18 A. Yes, sir, on the second 19 page.</p> <p>20 Q. Yes, sir, on the second 21 page.</p> <p>22 A. Uh-huh. On this one right 23 here (indicating).</p>	<p>1 30th. 2 Q. And the next appears to be 3 the 1st through the 9th. Any of 4 those reflect your signature? 5 A. 2nd and 3rd and, let's 6 see, 7th and 8th. Yes, sir. I 7 think that's right. Let me see. 8 Yeah, that's all. 9 Q. Any of those down by your 10 thumb on the 29th or 30th yours? 11 A. Let me see. Oh, I didn't 12 look down there. I'm sorry. Yes, 13 on the 29th and the 30th. My hand 14 was covering it up. 15 Q. And then on the next page, 16 which appears to be the 1st through 17 the 30th, any of those your 18 initials? 19 A. Okay. 3rd and 4th -- 3rd 20 and 4th is all I see. Because the 21 rest of those were bedtime 22 medicines and I wouldn't have been 23 giving them.</p>

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1 Q. And the last page, any of 2 those your initials? 3 A. Yes, sir. On the 15th, 4 16th, 19th and 20th, 24th and 25th, 5 28th, 29th and 30th. 6 Q. Now, are the meds kept in 7 a certain place when you're not 8 distributing them? 9 A. Yes, sir. 10 Q. Where are they kept? 11 A. At that time they were 12 kept in the booking room over on a 13 -- what we call the med desk. It 14 was inside the booking room, sort 15 of behind a door that opens back 16 toward a desk and they were kept 17 right there. 18 Q. Now, when you're 19 delivering the meds to the person 20 do you have a -- do you just carry 21 the bottles to the person or -- 22 A. Depends -- no, sir -- it 23 depends on what they come in and	109	1 is a good time to take a break. 2 (Whereupon, a brief 3 recess was taken in 4 the deposition.) 5 Q. (By Mr. Stockham) Let me 6 go on and just ask you a few 7 questions about this document while 8 we're waiting on them to get back. 9 A. Sure. 10 Q. I have a copy of these 11 tower logs from January through -- 12 the 2nd through the 16th. So I'll 13 just ask you about those. 14 MR. STOCKHAM: And I'll 15 mark them as Exhibit Two as a 16 group. 17 (Whereupon, an 18 off-the-record 19 discussion was held.) 20 (Whereupon, Plaintiff's 21 Exhibit Two 22 was marked for 23 identification.)	111
1 how many we have to take back at 2 one time. If it's just a few meds 3 then we'll leave them in the 4 medical book and open the book, 5 we'd dispense the meds and they 6 sign for it. If it's more than you 7 can carry then there's a roll cart 8 that you can use. 9 Q. What about the folks who 10 are in the holding cells? 11 A. They are -- they're just 12 given their meds the same as 13 everybody else. You just -- you 14 open the door and they stand at the 15 door and you give them their meds 16 and then they initial the paper. 17 Q. Now -- 18 A. Then they're -- 19 Q. You're the -- when you're 20 giving the meds out is there anyone 21 with you helping you give them out? 22 A. No, sir. 23 MR. STOCKHAM: I think now	110	1 Q. (By Mr. Stockham) Looking 2 at these logs, tower logs, now, as 3 I understand it there is no set 4 format that you're supposed to use; 5 is that right? 6 A. Yes, sir. 7 Q. But I notice that running 8 down on every one there seems to be 9 a time entry, eighteen twelve HRS 10 and then eighteen fifty-six HRS and 11 nineteen twenty-one HRS. Is that 12 military time? 13 A. Yes, sir. 14 Q. And looking on the front 15 cover under one, two, three, four 16 down it says, mop buckets back to 17 all blocks, trustees escorted by 18 two two five six. Is that a 19 jailer's number? 20 A. Yes, sir. 21 Q. Who is two two five six? 22 A. I don't know who that 23 would have been at the time. Would	112